

Applicant : Bhanjois, et al.
Serial No. : 09/408,149
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Attorney's Docket No.: 07575-034001

REMARKS

Claims 1-33 are pending. Claims 1 and 31 have been amended. No new matter has been added. Reconsideration is respectfully requested in view of the amendments and these remarks.

Claims 1-33 were rejected under 35 U.S.C. § 102(b) as being anticipated by Fitch.

The applicant wishes to thank the Examiner for the telephonic interview on November 25, 2003. Examiner Syed Ali and the applicant's representatives Kelvin Vivian, Tim Pham and Hans Troesch participated in the interview. During the interview the pending claims and U.S. Patent No. 5,526,521 ("Fitch") were discussed. The applicant argued that Fitch does not teach or suggest a non-preemptive microkernel that executes a kernel as a process. In addition, the applicant proposed to amend the claims to more clearly recite a non-preemptive microkernel that executes a kernel as a process, and the Examiner indicated that such an amendment to the claims would overcome Fitch. The applicant has done so by amending claims 1 and 31 to recite "one or more kernels each being executed as a process by the non-preemptive microkernel".

The applicant respectfully submits that independent claims 1, 11, 21 and 31 (and the claims that depend therefrom) are not anticipated nor rendered obvious by Fitch and should be in condition for allowance.

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Respectfully submitted,

Date: 12/2/03

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